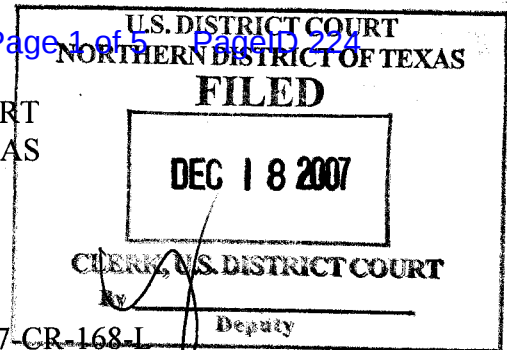


ORIGINAL  
IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION



UNITED STATES OF AMERICA

v.

JUAN CRUZ PUERTA (5)

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§  
§  
§  
§

Criminal No. 3:07-CR-168-L

**REPORT AND RECOMMENDATION  
CONCERNING PLEA OF GUILTY**

Juan Cruz Puerta, by consent, under authority of United States v. Dees, 125 F.3d 261 (5<sup>th</sup> Cir. 1997), has appeared before me pursuant to Fed. R. Crim.P. 11, and has entered a plea of guilty to the single-count Information. After cautioning and examining Juan Cruz Puerta under oath concerning each of the subjects mentioned in Rule 11, I determined that the guilty plea was knowledgeable and voluntary and that the offense charged is supported by an independent basis in fact containing each of the essential elements of such offense. I therefore recommend that the plea of guilty be accepted, and that Juan Cruz Puerta be adjudged guilty and have sentence imposed accordingly.

Date: December 18, 2007

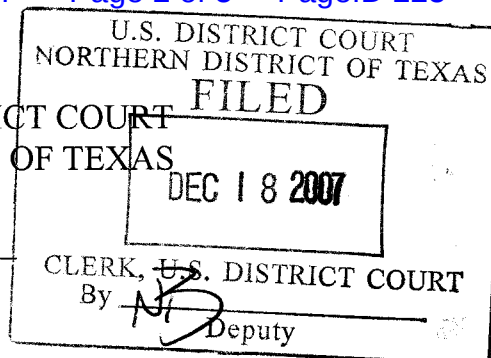
  
UNITED STATES MAGISTRATE JUDGE

**NOTICE**

Failure to file written objections to this Report and Recommendation within ten (10) days from the date of its service shall bar an aggrieved party from attacking such Report and Recommendation before the assigned United States District Judge. 28 U.S.C. §636(b)(1)(B).

ORIGINAL

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION



UNITED STATES OF AMERICA

§

§

v.

§

§

CHERIE ANN WORD (05)

§

CRIMINAL No. 3:05-CR-240-P

UNITED STATES' U.S.S.G. 5K1.1  
MOTION FOR DOWNWARD DEPARTURE

The Government files this motion for downward departure pursuant to U.S.S.G. 5K1.1, based upon the defendant's substantial assistance to law enforcement and in support of the motion submits the following:

Word first met Saran in 1997 when she worked for a physician whose office was in the same building as Saran's father's office. Word began working for Saran in May of 2000. Word was a director of National Executive Management, Inc., a Saran business whose chief financial officer was Word's father-in-law, Stacy Fred Word. Word owned a portion of Collective Services Inc., Dalamar Services, Inc., and Precision Pharmacy Services, Inc. Word was also the president of Precision Pharmacy Services, Inc. and Quantum Infusion, Inc., and was a director of Texas Home Infusion, LLC. Word admitted the pharmacies were used in furtherance of the scheme Word acknowledges that Saran designed the scheme to avoid detection and spread the volume of purchases

throughout a number of his pharmacies to conceal the true nature of their criminal conduct.

Word admitted that Saran did not sell pharmaceutical products or fill prescriptions to prisons or correctional facilities. Word admitted Saran concocted a scheme to obtain nursing home sales invoices in order to alter and inflate his institutional sales as a precautionary measure should his pharmacies be audited. Saran sold a portion of the inventory to a nursing home to acquire the paperwork involved which he would later duplicate and use if audited. Word admitted the scheme sold product at a loss to obtain the documentation. Word helped others alter and inflate the alleged sales to nursing homes in an attempt to disguise the scheme. Word, Saran and others used the altered sales documentation when audited by the pharmaceutical manufacturers, wholesalers, and government licensing authorities.

Word began to cooperate with law enforcement when she was arrested. Word voluntarily proffered information. She freely incriminated herself and others that worked for Saran and that participated in the conspiracy. She provided valuable information, not known to the government, concerning Saran's illegal businesses. She identified other participants. The government was able to use Word's information in order to leverage convictions of co-conspirators Saran, Fred Word, David Kaiser, Les Davidoff and others. Word was very candid about her involvement.

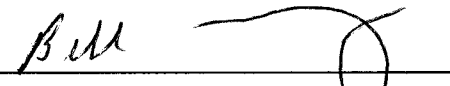
The timeliness of Word's decision to cooperate with the government was


significant. The quantity of her information was substantial. The quality of the information was impressive. Word was truthful. Word made herself available for several interviews. She has always accepted responsibility for her actions and expressed remorse for her conduct. Word provided complete information during the interviews. Word's cooperation exceeded normal cooperation. She substantially assisted law enforcement in the investigation and prosecution of others. The defendant's assistance to law enforcement has been substantial within the meaning of U.S.S.G. 5K1.1.

The United States respectfully requests a four (4) level reduction.

It is respectfully requested that the government's motion for downward departure be granted.

RICHARD R. ROPER  
UNITED STATES ATTORNEY

  
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\_\_\_\_\_  
CHAD MEACHAM  
Deputy Criminal Chief

**CERTIFICATE OF SERVICE**

The undersigned attorney certifies that the foregoing motion was served on attorney for Defendant, via fax, on this the 17<sup>th</sup> day of December, 2007.

  
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WILLIAM C. McMURREY  
Assistant United States Attorney